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EXAMINER

LIN, KELVIN Y

ART UNIT PAPER NUMBER

2142

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,291

Applicant(s)

ALLEN ET AL.

Examiner

Kelvin Lin

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/21/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Responds to Arguments

1. The Applicant's argument with respect to claims 1-22 have been considered but are not persuasive .
2. Applicant argues that "Tafoya et al., is missing the Applicant's newly claimed user input from a mouse input device configured for clicking on a software button"

The Office respectfully disagrees.

Tafoya discloses that the user can select the email address either presses the right arrow button or moves the mouse over an item (Tafoya, col. 14, l.46-63 and fig. 6, element 618 and 620).

Response to Amended Claims

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2142

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-22 are rejected under 35 USC 102(e) as being anticipated by Tafoya et al., (US Patent No. 6829607).

5. Regarding claim 1, Tafoya teaches a system for facilitating email communications comprising:

- first means for monitoring when emails are sent and/or how often the emails are sent to different email addresses and providing a signal in response thereto (Tafoya, col.2, l.24-25, l.32-33, l. 38-40, in that the interface is the signal in response) and
- second means for selectively displaying a list of most recently used email addresses and/or most frequently used email addresses based on said signal in response to user input from a mouse input device configured for clicking on a software button; (Tafoya, col.2, l.49-51, col.4, l.57-61, col.14, l.46-63 and fig. 6, element 618 and 620) ; and
- user configurable options to allow user selection of a length of the list, user sorting of the list by recency and/or frequency, and user inclusion of received email addresses in addition to or instead of

sent email addresses in the list (Tafoya, Abstract, col.2, l.57-67, col.4, l.57-67, col.5, l.4-8, clo.7, l.9-20, col.9, l.1-7).

6. Regarding claim 2, Tafoya further discloses the system of claim 1 wherein said first means includes email address usage-tracking software in communication with email communications software (Tafoya, col.4, l.34-39).
7. Regarding claim 3, Tafoya further discloses the system of claim 2 wherein said second means includes email address sorting software in communication with said email address usage-tracking software, said email address sorting software employing a data structure containing priorities associated with a predetermined number of email addresses (Tafoya, col.4, l.57-58).
8. Regarding claim 4, Tafoya further discloses the system of claim 3 wherein said predetermined number of email addresses and methods for assigning priorities to said email addresses are user-configurable via a user-interface to said email address sorting software (Tafoya, col.11, l.46-50).
9. Regarding claim 5, Tafoya further discloses the system of claim 4 wherein said data structure is implemented as an email address book designed to allow said email address sorting software to sort email addresses in said address book according to priority values assigned to each email based on user-input to said email address sorter and based on said signal (Tafoya, col.11, l.66-67, col.12, l.1-3).
10. Regarding claim 6, Tafoya further discloses the system of claim 5 wherein said

second means includes means for displaying a sorted drop-down list or menu of email addresses selected from said email address book and sorted according to said priority values (Tafoya, col.12, l.66-67, col.13, l.46-49).

11. Regarding claim 7, Tafoya further discloses the system of claim 4 wherein said data structure is implemented as a priority queue (Tafoya, col.4, l.57-58).
12. Regarding claim 8, Tafoya further discloses the system of claim 7 wherein said email address sorting software includes means for selectively incrementing a priority value assigned to a given email address when an email is sent to said given email address, and includes means for selectively deleting email address priority values from said priority queue to limit the size of said data structure to predetermined maximum size (Tafoya, col.11, l.16-22, l.42-45, col.12, l.20-30).
13. Regarding claim 9, Tafoya further discloses a system for facilitating email communications comprising:
 - first means for sending an email and providing a signal in response thereto when said email is sent to a recipient associated with a predetermined email address (Tafoya, col.4, l.57-60, col.9, l.66-67);
 - second means for assigning a priority to said email address based on said signal and predetermined configuration information (Tafoya, col.4, l.57-58, col.10, l.8-11);
 - third means for sorting said email address in a list of email addresses according to said priority (Tafoya, col.10, l.12-23); and

- fourth means for displaying said list of email addresses in response to a user using a mouse input device to click on a software button (Tafoya, col.13, l.46-49, col.14, l.46-63 and fig. 6, element 618 and 620) ; and
 - user configurable options to allow user selection of a length of the list, user sorting of the list by recency and/or frequency, and user inclusion of received email addresses in addition to or instead of sent email addresses in the list (Tafoya, Abstract, col.2, l.57-67, col.4, l.57-67; col.5, l.4-8, clo.7, l.9-20, col.9, l.1-7).
14. Regarding claim 10, Tafoya further discloses the system of claim 9 wherein said first means includes an email software application running on a computer (Tafoya, col.6, l.4-21).
15. Regarding claim 11, Tafoya further discloses the system of claim 10 wherein said second means includes a user interface in communication with a user-input device and said email software package for providing user-configurable options for specifying said configuration information to determine said priority based on said signal (Tafoya, col.11, l.46-50).
16. Regarding claim 12, Tafoya further discloses the system of claim 11 wherein said user-configurable options include frequency and recency options, which when selected, assign higher priorities to more frequently used email addresses or more recently used addresses, respectively (Tafoya, col.11, l.66-67, col.12, l.1-3, l.48-50).

17. Regarding claim 13, Tafoya further discloses the system of claim 11 wherein said configurable options include a list size option, a maximum value of said priority, and/or an amount by which to increment or decrement said priority of each email address in said list via said second means in response to said signal (Tafoya, col.10, l.16-22, l.42-45, col.12, l.20-30).
18. Regarding claim 14, Tafoya further discloses the system of claim 13 wherein said third means includes means for sorting said list in order of decreasing priority as indicated by said priority value (Tafoya, col.10, l.30-31).
19. Regarding claim 15, Tafoya further discloses the system of claim 14 wherein said third means includes a user-configurable email address sorter (Tafoya, col.10, l.30-31).
20. Regarding claim 16, Tafoya further discloses the system of claim 14 wherein said fourth means includes a drop-down list or a menu in communication with said third means. (Tafoya, col.13, l.46-49).
21. Regarding claim 17 has similar limitations as claims 1-5.
Therefore, claim 17 is rejected for the same reasons set forth in the rejection of claims 1-5.
22. Regarding claim 18-21 has similar limitations as claims 9-15, except sending in parallel to plural email, which also disclosed at (Tafoya, col.7, l.45-47).
Therefore, claim 18 is rejected for the same reasons set forth in the rejection of claims 9-15.

23. Regarding claim 22 has similar limitations as claim 1, Therefore, claim 22 is rejected for the same reasons set forth in the rejection of claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KYL
2/6/06



ANDREW CALDWELL
PATENT EXAMINER